

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, APRIL 11, 1978

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council

Chambers Tuesday evening April 11 A.D., 1978, in
Regular Session. President Samuel J. Talarico in the chair,

and Charles W. Westerman Clerk, at the desk, present the following

members _____ viz:

BURNS X, HINGA X, HUNTER X,

MOSES X, NUCKOLS X, DONALD SCHMIDT X,

VIVIAN SCHMIDT X, STIER X, TALARICO X,

ABSENT _____

COUNCILMAN _____, _____, _____,

_____, _____, _____, _____,

The invocation was given by Reverend Marvin Anderson, Associate
Crescent Avenue United Methodist

Received report from the City Controller for the month of _____,
19 _____. Motion made and carried that report be made a matter of record and placed
on file.

The minutes of the last Regular March 14, 19 78,
& Common Council Index of the Council Proceedings for
1977 _____, 19 78,

Special _____, 19 _____,

Session having been delivered to the Council, were, on motion, approved and
published.

The Crescent Avenue Church

(UNITED METHODIST)

1232 CRESCENT AVENUE
FORT WAYNE, INDIANA 46805

OFFICE PHONE: 219-~~424-4509~~
424-4509

Oh, God, who presided at the council of creation and keeps watch over the children of men, consider those here who are called to make weighty decisions for the life of this city and its people. Make them sensitive to the unspoken needs of their fellow citizens. Make them wise in their deliberations. Grant them the insights necessary to the decisions to be made, and wisdom to ask for more information where required.

Forgive our arrogance of wisdom and pride by which we seek to further our particular causes to the neglect of justice and equal opportunity for all your children. Free us from narrow loyalties and slanted sight to wider sympathies and broader vision.

Then your name is hallowed and your people in this time and place are given daily bread. Such decision-making and actions are hard work, O God. Thus give strength and stamina. Hear our prayer in the spirit of one who walked the land in the garb of a peasant and the spirit of compassion, even Jesus Christ, our Lord. Amen.

4-1-78
DATE
MADE A MATTER OF RECORD
CHARLES W. ALLEN, CITY CLERK

- Rev. Marvin V. Anderson

April 11, 1978

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolutions Numbers: 12/78/E
13/78/D

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully submitted,

William L. Kerr, Sr.
William L. Kerr, Sr.
Acting Chairman
Board of Public Safety

4-11-78
DATE *MADE A MATTER OF RECORD*
CHARLES W. VITALE, JR., CLERK

RETURN CERTIFICATE
(Regulatory Resolution No. 13/78/D)

I hereby certify that I did this 31st day of
March, 1978 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, The City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana, respectively, a copy of the within
Regulatory Resolution No. 13/78/D of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Acting Chairman
~~Secretary~~ of said Board, in accordance with the provisions
of Section 17-4(a) of Chapter 17, Municipal Code of the City
of Fort Wayne, Indiana 1946, as amended by General Ordin-
nance G-55, adopted FEB. 14, 1961.

William L. Kessell

Acting Chairman
~~SECRETARY~~

REGULATORY RESOLUTION NO.12/78/E

(Adopted March 31, 19 78.)

WHEREAS, Section 17-4(a) (3), Chapter 17, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No.G -55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REGULATORY RESOLUTION 4/78/E:

SPEED LIMIT 25 MPH WHEN CHILDREN PRESENT (EMERGENCY)

; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated March 30, 19 78, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 7-4(a) (3) of Chapter 17 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G -55. adopted FEB. 14, 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective March 31, 19 78 and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

SPEED LIMIT 25 MPH WHEN CHILDREN PRESENT (EMERGENCY)

Covington Rd. -- from Brooklyn Ave to Edwards St.

4-11-78 MADE A MATTER OF RECORD
DATE CHARLES W. WESTERMAN, CITY CLERK

REGULATORY RESOLUTION NO. 13/78/D

(Adopted March 31, 19 78)

WHEREAS, Section 17-4(a) (2), Chapter 17 Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55, adopted FEB. 14, 1961, authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 121 of said chapter as so amended delegates to this Board authority to NO PARKING
(DELEGATED)

; and,
WHEREAS, the City Traffic Engineer has, by written memorandum dated March 29, 19 78, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this

Board by Section 121 of Chapter 17 . Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55 adopted FEB. 14, 1961. it is hereby

ordered, effective March 31, 1978, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

NO PARKING (DELEGATED)

Buchanan St. -- south side -- from Weisser Park Ave. to 75 ft.
west therof



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

March 30, 1978

To the Common Council
Gentlemen and Mrs. Schmidt:

Today, March 30, 1978, I have approved the following ordinances passed by the Common Council at its regular meeting of March 28, 1978.

(Bill No. A-78-02-20)
APPROPRIATION ORDINANCE NO. A-07-78

AN ORDINANCE appropriating funds from the Anti-Recession Fund to the Communications Department, Account No. 36-382-300, "Garage Services", and to the Weights & Measures Department, Account No. 36-383-300, "Garage Services", and to the Weights & Measures Department, Account No. 36-383-200, "Auto Damage Repair"

(Bill No. A-78-03-02)
APPROPRIATION ORDINANCE NO. A-08-78

AN ORDINANCE transferring funds from an account in the 1978 budget of the City Controller to another account therein

(Bill No. S-78-03-01)
SPECIAL ORDINANCE NO. S-36-78

AN ORDINANCE approving Purchase Order No. 4-02240E with Parkerson Electronics, Inc. for materials for Communications Department of the Fort Wayne Police Dept.

(Bill No. R-78-03-20)
RESOLUTION NO. R-16-78

A RESOLUTION authorizing payment to Elliott Equipment Corp. for signal repair parts and equipment for the Traffic Engineering Department

4-11-78 MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK
DATE
AN EQUAL OPPORTUNITY EMPLOYER



(Bill No. R-78-03-21)
RESOLUTION NO. R-17-78

A RESOLUTION authorizing payment to various agencies for repair of various vehicles

(Bill No. G-78-01-32)
GENERAL ORDINANCE NO. G-07-78

AN ORDINANCE AMENDING General Ordinance No. G-97 by authorizing the vacation of a certain utility easement

(Bill No. G-78-01-33)
GENERAL ORDINANCE NO. G-08-78

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of certain alleys

(Bill No. G-78-01-34)
GENERAL ORDINANCE NO. G-09-78

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley

(Bill No. S-78-02-29)
SPECIAL ORDINANCE NO. S-37-78

AN ORDINANCE approving a contract with L. W. DAILEY, INC., to construct sidewalk on Spy Run Avenue, under Resolution No. 5793-77

(Bill No. S-78-03-04)
SPECIAL ORDINANCE NO. S-38-78

AN ORDINANCE approving an agreement with the County of Allen, State of Indiana for the purchase by the City of certain real estate owned by the County which is no longer required or satisfactory for the business or recreational purposes of said county

(Bill No. S-78-03-05)
SPECIAL ORDINANCE NO. S-39-78

AN ORDINANCE approving City Utilities Purchase Order No. 9794 with Preferred Products for materials for Street Lighting Department

(Bill No. S-78-03-06)
SPECIAL ORDINANCE NO. S-40-78

AN ORDINANCE approving City Utilities Purchase Order No. 9793 with General Electric Company for materials for Street Lighting Department

(Bill No. S-78-03-07)
SPECIAL ORDINANCE NO. S-41-78

AN ORDINANCE approving Change Order No. 1 in connection with Street Light Resolution No. 5715-76

(Bill No. S-78-03-08)
SPECIAL ORDINANCE NO. S-42-78

AN ORDINANCE approving a contract for Improvement Resolution No. 5791-1977 between the City of Fort Wayne, Indiana and Hipskind Asphalt Corporation for resurfacing certain streets at a cost of \$100,634.00

(Bill No. S-78-03-09)
SPECIAL ORDINANCE NO. S-43-78

AN ORDINANCE approving a contract for Improvement Resolution No. 5789-1977, between the City of Fort Wayne, Indiana and Carrington & Associates, Inc. for the installation of certain sidewalks in Lincolnshire Addition at a cost of \$10,595.00

(Bill No. S-78-03-10)
SPECIAL ORDINANCE NO. S-44-78

AN ORDINANCE approving a contract with Woodmont Realty, Inc. for construction of a sanitary sewer

(Bill No. S-78-03-11)
SPECIAL ORDINANCE NO. S-45-78

AN ORDINANCE approving a contract with Roberts Development Corp. for construction of a sanitary sewer

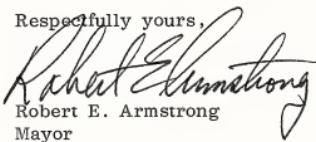
(Bill No. S-78-03-12)
SPECIAL ORDINANCE NO. S-46-78

AN ORDINANCE approving City Utilities Purchase Order No. 9800 with Tab Products Company, Represented by A.A. Billain Company for materials for City Utilities Data Processing Department

(Bill No. S-78-03-13)
SPECIAL ORDINANCE NO. S-47-78

AN ORDINANCE approving Change Order No. 19 in connection with Water
Pollution Control Plant Addition, Division I

Respectfully yours,



A handwritten signature in black ink, appearing to read "Robert E. Armstrong".

Robert E. Armstrong
Mayor



THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

Long Range Planning & Zoning

28 March 1978

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-78-02-26

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
28th day of March, 1978.



Luben Lazoff
Secretary

3-11-78
MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK



THE CITY OF FORT WAYNE
COMMUNITY DEVELOPMENT & PLANNING
CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802
Long Range Planning & Zoning

28 March 1978

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment.

1. BILL NO. Z-78-02-26

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,
CITY PLAN COMMISSION



Gary F. Baeten
Land Use Administrator

GFB:pb

Attachment

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 28, 1978, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-78-02-26; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 20, 1978; and,

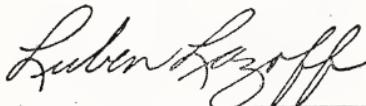
WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission by the petitioner;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request of the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 27, 1978.

Certified and signed this
28th day of March 1978.



Luben Lazoff
Secretary

REZONE FROM R-3 TO MI

MAP NO. 0-2

Z-78-02-36

BY MEC 2-16-78



915 South Clinton
Fort Wayne, Indiana 46802

Member FDIC
Trust
219/461-7416

March 22, 1978

City of Fort Wayne
City-County Building
Fort Wayne, Indiana 46802

In Re: Bill #Z-78-02-26 before the
City Planning Commission

Gentlemen:

This letter is to authorize you to remove the above-referenced bill from any further consideration for zoning change by the City Planning Commission. We, of course, thank you for all the time and effort that had previously been expended on this petition.

Very truly yours,

INDIANA BANK AND TRUST COMPANY

A handwritten signature in black ink, appearing to read "Charles G. Conville".

Charles G. Conville
Vice President and
Senior Trust Officer

CGC:pjg

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 11th day of April, 1978 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 19 _____.


Charles W. Westerman
City Clerk